City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2200459

Applicant Name: Chris Snell, Architect for TCR Pacific Northwest VI, Inc.

Address of Proposal: 2700 Elliott Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of a 14-story residential building with 119 units. Project includes four levels of below grade parking for 119 vehicles. The existing structures will be demolished under a separate permit.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)

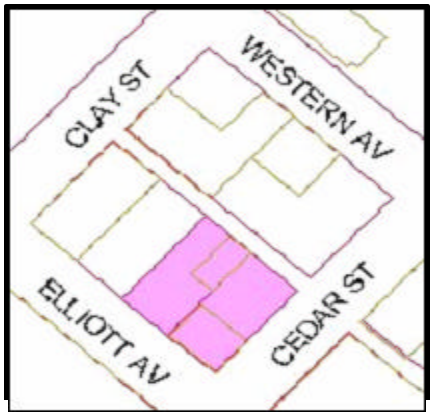
SEPA-Threshold Determination (Chapter 25.05 SMC).

SEPA DETERMINATION: [ ] Exempt [**X**] DNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**Early Notice DNS published May 9, 2002



SITE BACKGROUND INFORMATION:

Site Development

The subject site is square in shape and comprises a land area of approximately 14,400 square feet in Seattle's Downtown

Belltown neighborhood. The development site combines two lots of land located within a Downtown Mix Residential/Commercial zone with a height limit of 65 (commercial)/ 125 (residential) feet (DMR/R 65/125). Additionally, the site is located within the Belltown Urban Center Village Overlay District.

The subject site is a corner lot that abuts Elliott Avenue along its west property boundary line and Cedar Street to the south. A 16 foot wide paved alley abuts the site along its east property line. The lot moderately slopes downward from the east to west, approximately 14 feet over a distance of 120 feet. The site is currently developed with two commercial buildings ranging in height from one and three stories. With accessory surface parking obtained off Elliott Avenue and the alley frontage. The existing three-story building with the Cedar Street frontage was originally constructed in 1910 currently supports an office use. The one-story office building on the north half of the development site located near the alley was constructed in 1965.

Due to the age of the structure in the neighborhood the design team sought a determination on the historical status of the existing structure built in 1910 (addressed 2700 Elliott Avenue). On July 11, 2002, the Landmarks Preservation Board determined that due to the structure's lack of physical integrity it did not qualify for consideration as a Landmark Structure and therefore, can be demolished. Elliott Avenue is a Class II Pedestrian Street/Primary Arterial Street abutting the subject site to the west and provides primary access. Cedar Street abuts the site to the south and is classified as a Green Street, enhancing the pedestrian circulation experience in the right-of-way.

Area Development

The topographic conditions in this area of Belltown features a mix of old and new structures of various design styles incorporating brick, wood, stone, and concrete constructed on a moderately downward sloping hill to the waterfront. During the turn of the century (1900) the area to the east was leveled to remove Denny Hill to spur development north of Stewart Street. A small number of the structures in the area were constructed during the turn of the previous century (1900) and have been designated Historic Landmark buildings within the City of Seattle.

Property located immediately south and east of the site is zoned DMR/C 125/65'. Property north of Clay Street is zoned DMR/R 125/65'. A new 13-story mixed-use building with 106 residential units and 1,145 square feet of retail is located on the west side of the adjoining alley. Abutting the site to the north, two towers of residential use (139 units), one tower is 10 floors and the other is four floors over a first floor of office use (17,300 sq. ft.) was recently completed. Northwest of the project site are Piers 69 and 70, west of Alaskan Way, and The Old Spaghetti Factory, located at the southwest corner of Broad Street and Elliott Avenue. Across Elliott Avenue (southbound one-way street), the Seattle Trade Center (formally, The American Can Company Building) is located in Downtown Harbor Two zone with a height limit of 65 feet (DH2-65). The five-story building measures approximately 550 feet in length. The Skyway Luggage building and public parking are located south of the site. Uses in the general area are a mix of retail, residential and office. Mature street trees provide a canopy that filters direct sunlight at street level.

Proposal

The site has frontages along Elliott Avenue to the west and Cedar Street to the south, and is currently occupied by two commercial buildings containing one office use (Northwest Protective Services). The applicants' propose to demolish two existing building and construct a 14-story, 187,840 square foot, residential building containing 107 units. On-site parking will be accommodated on three levels at and below grade and access off the alley. The main lobby to the residential units will be located on Elliott Avenue, with direct access to six units off both street frontages. Upper level decks and bay windows are proposed to project into the public right-of-way of Elliott Avenue. A 16 foot wide alley is located on the east side of the parcel, which will require a 2 foot dedication to increase its width.

Elliott Avenue is a designated Class II Pedestrian Street. The building facade will feature a brick veneer along the front facade on the lower level and wrap around to the Cedar Street frontage. A concrete vertical frame extending to the rooftop will hold the composition together. Above the seventh floor the structure will steps away from the north and south property lines, to add verticality along Elliott Avenue. A roof top terrace is located above this portion of the building. Glazing, balconies with metal railings has been provided along a majority of the facades.

The concept for the proposed development originally included enhanced landscaping features along Cedar Street's "Green Street," and incorporating architectural design themes found within the Belltown neighborhood.

At the request of the applicant the project was placed on hold in late 2002 and restarted in May, 2005.

Public Comments

Date of Notice of Application :	May 9, 2002
Date End of Comment Period:	May 22, 2002
# Letters	0

The SEPA comment period for this proposal ended on May 22, 2002. The Department received no comment letters during the public comment period.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

On February 26, 2002, the Design Review Board of Area 6 met in an Early Design Guidance (EDG) meeting to consider the site and design objectives of the applicant. After visiting the site, considering the analysis of the site, design context provided by the proponents, and hearing public comment the Design Review Board members provided the following siting and design guidance, and identified by letter (A, B, and C, etc.) and number (1, 2, & 3) those siting and design guidelines found in the City of Seattle's *"Design Review: Guidelines for the Belltown Urban Center Village and Downtown Guidelines"* of highest priority to this project.

A. Site Planning
Responding to the Larger Context

A-1 Respond to the Physical Environment: Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

Considering the topography of the project site could potentially result in areas of blank façade along Cedar Street. The Board stated that the design of the project should avoid blank façades at street level.

A-2 Enhance the Skyline: Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The Board encouraged the applicant to consider the project's view from water as well as the view from the upper Belltown neighborhood when designing rooftop features. The Board was favorably inclined to allow flexibility in designing an attractive building top and contributing to skyline.

B. Architectural Expression
Relating to the Neighborhood Context

B-1 Respond to the neighborhood context: Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

The design of the new building should relate in some manner to the scale and pattern of bays of the neighboring Real Networks building.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area: Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

The Board commented on the unsuccessful design of a number of recent projects in the vicinity. The applicants were encouraged to design an interesting building against the repetitive bland design of existing neighboring structures. Use of color, shadow lines, and relief in facades was recommended. The Board recommended incorporating whimsy or playfulness distinctive of the Belltown neighborhood.

B-4 Design a well-proportioned & unified building: Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-portioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

Horizontal banding was encouraged to break up the building mass. The Terminal Sales building was noted as a good massing/banding prototype for this project.

The Elliott facade and the Cedar facade should form a coherent whole; response to the difference between the characters of the two streets should not be oversimplified. The Terminal Sales Building was noted as a successful example of this approach.

C. The Streetscape

Creating the Pedestrian Environment

C-1 Promote pedestrian interaction: Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

The Board suggested that the street-level design of the facade, at least along Elliott Avenue, should relate to storefront design, and the design of ground level space should accommodate the possibility of commercial use.

C-3 Provide active - not blank – facades: Buildings should not have large blank walls facing the street, especially near sidewalks.

Privacy of the proposed ground level units should be addressed to avoid the streetscape being characterized by closed window blinds. Warmth and small-scale texture of materials (such as masonry) at the street level is encouraged. The Board noted Murray Franklyn's use of brick in projects like Austin Bell and Pomeroy.

C-4 Reinforce building entries: Buildings should not have large blank walls facing the street, especially near sidewalks.

The Board encouraged maintaining the different scale of the entrances (common lobby and live/work spaces) along Elliott Avenue. In response to the more residential character of the streets as opposed to the avenues, the Board suggested incorporating more residential types of entries (in terms of feel and proportion) along Cedar. The existence of good prototypes of this in Vancouver was mentioned. "Stoops", recessed entries, and landscaping were noted as desirable elements of residential entries.

C-5 Encourage overhead weather protection: Encourage project applicants to provide continuous, well lit overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

Continuous overhead weather protection along public streets was encouraged.

C-6 Develop the alley façade: To increase pedestrian safety, comfort, and interest; develop portions of the alley façade in response to the unique conditions of the site or project.

The Board recommended designing an attractive alley facade for the benefit of the neighbors across the alley and uphill from the site.

D. Public Amenities
Enhancing the Streetscape & Open Space

D-3 Provide elements that define the place: Provide special elements on the façade, within pubic open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of place" associated with the building.

Involvement of artists in the Cedar Green Street facade and in any blank facade areas was encouraged. One member of the Board suggested that use of "something funky" at the street level would be appropriate for the site.

D-5 Provide adequate lighting: To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building façade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

Attractive lighting fixtures at street level should complement the overall design of street facades.

E. Vehicular Access & Parking
Minimizing the Adverse Impacts

E-1 Minimize curb cuts impacts: Minimizing the adverse impacts.

The Board noted that parking access and access to service areas should be at the alley.

E-2 Integrate parking facilities: Minimize the visual impacts of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for safety and comfort of people using the facility as well as those walking by.

The Board appreciated the proposed concept design for the accessory garage: access from the alley, the interior above-grade parking space to be separated from the street by residential spaces.

Design Review Board Recommendations

On April 12, 2002, the applicant submitted the full Master Use Permit application, and on May 14, 2002, the Downtown Design Review Board (Area 6) convened for the recommendation meetings. On June 11, 2002 a follow-up meeting was held to review updated perspective drawings sample materials. The applicant team presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meetings. The applicant did not request any departures from the City's Land Use Code.

Public Comments

No members of public were present at the May 14, 2002 meeting. A representative of an adjacent property owner attended the meeting on June 11, 2002. The representative commented on the high quality of design and the exterior materials proposed for the future building.

Three ***departures*** from standards of the Land Use Code were requested by the applicant at the time of the meeting and summarized below:

1. *To allow the proposal to exceed the maximum allowed height of rooftop screening by 7 feet in order to create a distinct architectural element on the top. Screening of rooftop features are prohibited to exceed ten (10) percent of the maximum height limit of the zone in which the structure is located, or fifteen (15) feet, whichever is greater. (23.49.008.C.3)*

2. *To allow the proposal to exceed the maximum allowed upper level lot coverage by .5% above 85 feet. When the lot size is 19,000 square feet or less maximum lot coverage above 85 feet coverage is limited to 65% of lot area. (23.49.158.A.1)*

3. *To allow the proposal to encroach into the side street and green street setbacks.* Above 85 feet the required setback is H – 85' x .2 + 10 = X *(23.49.162.B.2)*

CODE REQUIREMENT	**PROPOSED**	**JUSTIFICATION**	**BOARD RECOMMENDATION**
1. Screening of rooftop features 23.49.008.C.3.c In no circumstances shall the height of rooftop screening exceed ten (10) percent of the maximum height limit of the zone in which the structure is located, or fifteen (15) feet, whichever is greater.	22 feet.	In order to create a distinct architectural element on the roof.	Recommend Approval
2. Downtown Mixed Residential coverage and floor limits 23.49.158.A.1 On lots 19,000 square feet or less, above 85 feet coverage is limited to 65% (9,360 sq. ft.)	An additional 0.05% or 65.5% coverage (9437 sq. ft.)	In order to increase modulation of the street facades to enhance structure's elegance.	Recommend Approval
3. Downtown Mixed Residential side street and green street setbacks 23.49.162.B.2 above 85 feet the required setback (125' – 85' x .2 + 10' = 18'	18 feet for façade with 3 balconies projecting 2 feet into setback, and 3 balconies projecting 1.5 feet into setback.	The introduction of upper level balcony projections will open up residential units to the outdoors to provide fine detail along the façade to create visual communication to the Green Street. Also, see above comments.	Recommend Approval

Board Discussion

After considering the proposed design and the project context, hearing public comment and reconsidering the previously stated priorities, the Board began their deliberations by providing a general assessment of the project proposal and its impact on the neighborhood. The Board agreed that the proposed structure use of masonry materials on the lower level and strong structural concrete framed with inset curtain windows achieved a unifying architectural theme connecting the building to its Belltown neighborhood. During the Early Design Guidance Meeting the Board emphasized a need to establish an

architectural relation in some manner to the scale and pattern of the bays of the neighboring Real Networks building. The Board was favorably inclined to allow flexibility in designing an attractive building top and contributing to enhancing the skyline. Additionally, because of the topographic conditions at the site, street level blank walls should be avoided along the "Green Street" (Cedar Street).

The Board accepted the applicant's proposal with recommendations to better achieve a design that is at once complimentary to the surrounding neighborhood, yet bold in making a vibrant architectural statement. The Board expects the DPD planner to work out the details with the architect prior to issuing the Master Use Permit.

The Board was encouraged with the applicant's effort to better integrate the design vocabulary among the architectural design themes, color, and texture. The Board discussed ideas for creating more visual interest and better human scale even further and recommended installing overhead weather protection over the residential entrances along Cedar to better relate to the residential character of this façade. The design should create architectural detailing along the (Cedar) "Green Street" to integrate the pedestrian experience within the right-of-way with readable and visually interesting residential entrances. The Board determined that providing overhead weather protection (OHWP) over the sidewalks would strengthen the residential character of the building. The Board supported a fixed glass framed OHWP projecting into the right-of-way. (*Guidelines A-1, B-1, B-2, C-1, C-4, C-5, & D-3*)

The Board felt that a better relation to the proposed architectural forms at the roof level and the design of the main entry to the overall building design should be established. No functional or design relation currently exists in the design between the street level and rooftop level. Textures and colors are possible considerations that can achieve more connectivity. The proposed metal banding provides an opportunity with color and texture to provide a contrast to the concrete-boned look and unit the two levels. (*Guidelines A-2, B-3, B-4, C-1, C-4, & D-3*)

The Board was encouraged by the use of colors but recommended the elimination of the blue spandrel color in order to limit the proposed range of exterior colors. The Board felt that the blue spandrel color created an incongruous element that became a source of detraction to the architectural composition. (*Guidelines B-1, B-3, B-4, & D-3*)

In order to better meet the objectives of Belltown Guidelines, the primary structural bays along the Elliott frontage (west elevation) should be extend to the top of the façade. Additionally, the shift in the column grid at the top two floors along the west elevation should be eliminated in order to follow a coherent architectural concept. To hold and strengthen the structure's verticality the Board felt the applicant's effort to establish a bold presence along Elliott needed further refinement. Included in this discussion was the desire to include an appropriate exterior lighting scheme along the building's perimeter to reinforce the proposed vertical elements. The Board determined that the lighting scheme needed greater detail to demonstrate compatibility and illumination pattern. (*Guidelines A-2, B-3, B-4, C-6, D-3*)

The Board strongly supported the proposed Green Street improvements along Cedar Street which included raised planters with railing and lush landscaping along the sidewalk.

At the follow-up June 11th meeting the Board reviewed updated perspective drawings, the revised street level elevation sketches at enlarged scale and samples of proposed brick for the base of the building. At this last meeting on May 14, 2002 the Board found that the applicants responded in full to the guidance and the specific recommendation made at the initial recommendation meeting. The Board praised the project and recommended that the design and the departures should be approved by the Department as presented at the meetings since they have met or exceeded the design review guidelines.

Departure Analysis

i. Screening of rooftop features (23.49.008.C.3.c)

In no circumstances shall the height of rooftop screening exceed ten (10) percent of the maximum height limit of the zone in which the structure is located, or fifteen (15) feet, whichever is greater. The applicant has proposed to extend rooftop screening an additional seven feet, to a maximum height of 22 feet. In order to achieve a distinct architectural element on the roof the additional height would afford a covered area for rooftop decks and a sleek look from the south and north elevations. The portion of the horizontal screening device would function as an overhead weather protection for residential recreational rooftop activities. Effectively, the horizontal screening wall provides the screening of the upper level mechanical equipment and creates a positive visual statement as viewed from the lower roof level.

ii. Downtown Mixed Residential coverage and floor limits (23.49.158.A.1)

On lots comprising a land area of 19,000 square feet or less, coverage above 85 feet is limited to 65% (9,360 sq. ft.). The applicant requests to increase coverage limits above 85 feet to 65.5% (9,437 sq. ft.). The additional 77 square feet per floor consists of balcony projects along the north and south facades to add modulation, shadow lines, and fine detail elements. The balconies help to identify the building as residential and allows for greater interaction between the residents and the outdoors. The balconies reinforce the positive urban form and architectural attributes on the immediate area as outlined in Guideline B-3.

iii. Downtown Mixed Residential side street and green street setbacks (23.49.162.B .2)
Above 85 feet the required setback at the development site abutting Cedar is 18 feet (125' – 85' x .2 + 10'). Above 85 feet the applicant proposes to set the building back to 18 feet for the façade and place three balconies that will extend a maximum of two feet, and three balconies will extend one foot six inches into the required Green Street setback area. The upper level balconies with the architectural detailing of the railing system is in keeping with the design guidelines and will create a desirable visual communication to the Green Street. Also, see above comments.

Summary of Departures

CODE REQUIREMENT	PROPOSED	JUSTIFICATION	BOARD RECOMMENDATION
1. Screening of rooftop features 23.49.008.C.3.c In no circumstances shall the height of rooftop screening exceed ten (10) percent of the maximum height limit	22 feet.	In order to create a distinct architectural element on the roof.	Approve * The Board has no authority to grant departures for added height over 15 feet in this case

of the zone in which the structure is located, or fifteen (15) feet, whichever is greater. 15 feet Maximum.			for screening of HVAC. Therefore, this departure will not move forward.
2. Downtown Mixed Residential coverage and floor limits 23.49.158.A.1 On lots 19,000 square feet or less, above 85 feet coverage is limited to 65% (9,360 sq. ft.)	An additional 0.05% or 65.5% coverage (9437 sq. ft.)	In order to increase modulation of the street facades to enhance structure's elegance.	Approve
3. Downtown Mixed Residential side street and green street setbacks 23.49.162.B.2 above 85 feet the required setback (125' – 85' x .2 + 10' = 18'	18 feet for façade with 3 balconies projecting 2 feet into setback, and 3 balconies projecting 1.5 feet into setback.	The introduction of upper level balcony projections will open up residential units to the outdoors to provide fine detail along the façade to create visual communication to the Green Street. Also, see above comments.	Approve

Summary of Boards' Recommendations:

During the recommendations meeting held on May 14, 2002 the Board made the following five recommendations based on the plans submitted on May 11, 2002 and the materials presented during the meeting:

- Better relate the proposed architectural forms at the roof level and the design of the main entry to the overall building design;
- Eliminate the blue spandrel color in order to limit the proposed range of exterior colors;
- Revise the proposed design of the overhead weather protection along Cedar to better relate to the residential character of this façade;
- Extend the primary structural bays at the west elevation to the top of the façade and eliminate the shift in the column grid at the top two floors of the west elevation in order to follow a coherent architectural concept;
- Change the lighting scheme to emphasize the proposed vertical elements.

The Board strongly supported the proposed Green Street improvements along Cedar Street which included raised planters with railing and lush landscaping along the sidewalk.

At the follow-up June 11th meeting the Board reviewed updated perspective drawings, the revised street level elevation sketches at enlarged scale and samples of proposed brick for the base of the building. At this last meeting the Board found that the applicants responded in full to the guidance and the specific suggestions made at the initial recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members praised the project and recommended that the design and the departures should be approved by the Department as presented at the meetings. As noted three departures were requested but two shall move forward; Downtown Mixed Residential

coverage and floor limits (23.49.158.A.1), and Downtown Mixed Residential side street and green street setbacks (23.49.162.B.2).

DIRECTOR'S ANALYSIS AND DECISION: DESIGN REVIEW

The design of the new building (containing a total of 107 units) is similar in scale adjacent structures, proportion and materials, but reduces the appearance of repetition through use of color schemes and architectural features. The design of the proposed structures has been influenced by the surrounding vernacular with modern touches to provide visual interest that seeks a sense of individuality. As viewed from the Elliott Avenue street frontage, the proposed fourteen (14)-story residential building will feature decorative tile and concrete detailing, sculptured main pedestrian entrance, glass, and metal overhead awnings to stimulate visual interest upon the streetscape. Upper level will feature bay windows, distinctive framed windows, and decks with painted metal guard rails to add detail to the building's facade. The lower level rooftop (14th floor level) will have approximately half its area devoted to rooftop deck with views towards the Olympic Mountains. The structure bulk and scale will have a good relationship with surrounding properties due to in part to the use of façade materials.

As viewed from the Cedar "Green" Street orientation, the sidewalk will continue the decorative scored sidewalk pattern to match the adjacent sidewalk to the north, in keeping with the Green Street Master Plan. This area will feature raised planters, a zigzagging sidewalk, street trees, and landscaping materials to enhance the pedestrian experience. The lower level façade will continue the masonry base from the Elliott frontage to break apart the mass of the building on the lower level. Glass canopies (OHWP) above the residential entrances will step down along the slope. A common recreation area will be placed on the 9th floor level over looking the Green Street below. The upper level will have a different modulation pattern but will maintain the same bold look with use of materials and color. At street level the windows will wrap around the building's corner to activate the alley. Well detailed pedestrian and vehicle access points have been introduced in the alley. However, attractive lighting fixtures are missing and will be conditionally required to encourage use and alleviate threats to personal security in the alley.

Three departures were requested with approval recommended by the Board. The Board is authorized to recommend approval of departures from development standards (SMC Section 23.41.012.B) if the applicant demonstrates that departures from the Land Use Code standards would result in a development which better meets the intent of the adopted design guidelines. Of the number of departures allowed under the Design Review program increases in height in the Downtown Mixed Residential zone are not departable. Therefore, Screening of rooftop features to increase height from 15 feet to 22 feet above the roof plane will not go forward even without the added screening height, the composition and design detail of the proposed structure have achieved an elegance and grace that will enhance the existing Belltown neighborhood character. (Guidelines B-1, B-2, B-3, and D)

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Belltown Urban Center Village and Downtown Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommendations above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on June 11, 2002 and the plans on file at DPD. Design, siting or architectural details not specifically identified or

altered in this decision are expected to remain substantially as presented in the plans submitted to DPD on July 1, 2005 in response to the outcomes of the June 11, 2002 and zoning correction cycle.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated April 12, 2002) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Historic and Cultural Preservation - Construction of the proposed fourteen-story residential building will necessitate the demolition of two existing commercial structures, one constructed during 1910 and the other in 1965. In accordance with the *Department of Planning and Development – Department of Neighborhoods Interdepartmental Agreement on Review of Historic Building during SEPA Review*; the planner referred potential landmark eligibility approval to the Historic Preservation Officer. The Historic Preservation Officer evaluates criteria for designation of historic landmark structures (in response to the SEPA Historic Preservation Policy (SMC 25.05.675.H.2.d). The review of the information associated with the status of the existing structure (addressed 2700 Elliott Avenue) did not warrant landmark status, as determined by the Landmarks Preservation Board, (LPB 190/02) in a letter dated June 11, 2004.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Historic Preservation Policy (SMC 25.05.675H) allows the reviewing agency to mitigate impacts associated with a potentially archaeologically significant site. After review of a report prepared by Entrix, Inc. for the subject site (platted lots 1 and 2, Block 11 of Bell and Denny's Additions) located at the northwest corner of Cedar

Street and Elliott Avenue, it was evident that identifying prehistoric or historic archaeological resources within the project area is low. Due to topographic conditions and location from the beach it is unlikely that the site was occupied by Native Americans or used for anything other than dispersed hunting and gathering, which typically leaves little archaeological signature. Additionally, the subject site has undergone a number of transformations during the intervening years, including development as early as 1893, fire, earthquakes, and landslides.

The applicant consulted with Brent Hicks, Senior Archaeologist for Entrix, Inc. Mr. Hicks provided the following recommendations: 1) Construction excavators be informed of the potential of identifying archaeological remains during construction; 2) If archaeological materials are inadvertently discovered, a professional archaeologist should be notified to assess the potential significance of the find; 3) If human remains are inadvertently discovered, the contractor should contact the king County Medical Examiner; and 4) If the remains are determined to be Native American in origin, the project proponent should contact the Washington State Office of Archaeology and Historic Preservation, and the Duwamish Tribe, Muckleshoot Indian Tribe and Suquamish Tribe should be informed of the discovery. Therefore, due to the possibility that this area may contain archaeological or historic artifacts the recommendations of Mr. Hicks will be conditions of approval.

Traffic - Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during earth moving activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with transportation during construction. The excavation of the parking garage will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the material will be removed from the site to excavate for the below-grade garage. During excavation a single-loaded truck will hold approximately 10 cubic yards of material. This will require approximately 1,400 truck loads to remove approximately 14,000 cubic yards of material. In order to limit this negative impact as much as possible, a Truck Trip Plan will be required and approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials, and include a limitation of truck trips during peak hours, which are from 7 AM to 9 AM and 4 PM to 6 PM.

Noise - Most of the initial construction activity including demolition, excavation, foundation work, and framing will require loud equipment and will have adverse impacts on nearby residences. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impacts on the nearby residential uses. The impacts upon residential uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impacts. Pursuant to this policy, and because there are residences in the vicinity, the applicant will be required to provide a Noise Control Plan and Noise Monitoring Plan to address adverse impacts. Demolition and construction activities taking place within an enclosed structure, which meet the standards of the Noise Ordinance, are allowed. The department

may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Air and Environmental Health - Given the age of the existing structure on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA permit prior to issuance of a demolition permit, if necessary. The applicant submitted a copy of the notice of intent to demolish with PSCAA. Therefore, no further mitigation is warranted.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The proposed fourteen-story project will rise to approximately 125 feet to the top of the flat roof from the segmented elevation grades along the Cedar Street frontage, with rooftop features extending an additional 15 feet. The development site is located within a Downtown Mix Residential/Commercial zone with a height limit of 65 feet for commercial use and 125 feet for residential use which extends east across the alley, and south for several blocks. One block north of the development site, the zone changes to DMR/R with the same height limit (DMR/R 125/65). The existing structure (Seattle Trade and Trade technology Center), located across Elliott Avenue, and located in Downtown Harbor Two zone with a height limit of 65 feet (DH2-65) is a five-story building that measures approximately 550 feet in length. The site is a corner lot located at the northeast corner of Elliott Avenue and Cedar Street. Across each right-of way, approximately 66 feet away (minimum) are structures of varying heights. The proposed project is being developed to DMR/C standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *"the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle Comprehensive Plan for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."*

In addition, the SEPA Height, Bulk and Scale Policy states that *"(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that high-rise residential condominium units (buildings that have three or more floors) generate approximately 4.18 vehicle trips per day per unit in suburban communities. Within the City, vehicle trips are substantially lower due in part to the location of employment work centers, availability and proximity of public transit to downtown and other employment centers will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready access to the Washington State Highway 99 and Interstate 5 along arterials to employment centers outside Downtown Seattle. The immediate area supports a number of transit options serving the metropolitan area within walking distance of the subject site. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in

scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

The owner/applicant shall update plans to show:

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.

2. Embed colored building elevation drawings and landscape plan drawings into the MUP and building permit plan sets.

3. Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Prior to Issuance of MUP

4. Revise elevation drawings to illustrate attractive lighting fixtures to encourage use and alleviate threats to personal security in the alley.

Prior to Issuance of Building Permit

5. Develop and submit to DPD for review and approval a detailed lighting plan including fixtures proposed.

6. Submit detailed plan for OHWP

After Issuance of Building Permit and Prior to Groundbreaking

7. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

SEPA CONDITIONS

Appealable Conditions

The owner(s) and/or responsible party(s) shall:

Prior to Issuance of Building Permit

8. Provide an action plan involving the City inspector, construction managers and the professional archaeologist to outline the monitoring of the site and action steps in the event of discovering significant artifacts.

9. Submit, for review and approval by DPD, a Noise Control Plan and Noise Monitoring Plan within 45 days of Notice to Proceed. The Plans shall include provisions to address construction noise impacts upon adjacent properties from activities on the site, including hauling of earth and/or materials to and from the site, the activities associated with grading, exterior and interior framing. The Plan shall also include how to address how noise complaints will be addressed and managed during the life of the construction activity.

10. Submit to DPD/SDOT for review a Truck Trip Plan which delineates the routes that trucks carrying project-related materials will take to minimize negative traffic impacts and include the condition that no truck trips will occur during peak hours, which are from 7 AM to 9 AM and 4 PM to 6 PM.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

Signature: (signature on file) Date: September 5, 2005
Bradley Wilburn, Land Use Planner
Land Use Services
Department of Planning and Development

BW:bg

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